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JAN 16 2004

TECHNOLOGY CENTER R3700
Practitioner's Docket No. 1062/C39

3743
#810
PATENT
JM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Dean L. Kamen, Kevin Lee Grant, Larry B. Gray, Charles M. Grinnell, Brian Daniel Tracey, Fredric A. Newman, and Martin J. Kaplitt

Application No.: 09/703,532
Filed: 11/01/2000
For: Endarterectomy Surgical Instrument

Group No.: 3743
Examiner: Orland, Kathryn

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

☒ with sufficient postage as first class mail.

37 C.F.R. § 1.10*

☐ as "Express Mail Post Office to Addressee"
Mailing Label No. _____ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____

Signature

Date: January 8, 2004

Barbara J. Carter

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA							
				RATE						
				ADDIT. FEE						
TOTAL	16	- 20	= 0	x	\$	18.00	=	\$	0.00	
INDEP.	3	- 3	= 0	x	\$	86.00	=	\$	0.00	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+	\$	0.00	=	\$	0.00	
				TOTAL						
				ADDIT. FEE						
				\$ 0.00						

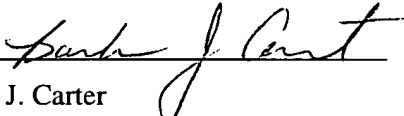
No additional fee for claims is required.

FEE DEFICIENCY

5. An additional extension and/or fee is required, charge Account No. 19-4972.

An additional fee for claims is required, charge Account No. 19-4972.

Date: January 8, 2004


Barbara J. Carter
Bromberg & Sunstein LLP
125 Summer Street
Boston, MA 02110
USA

01062/00C39 288927.1

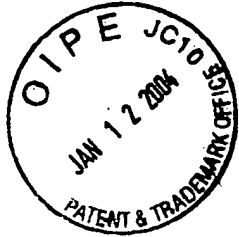
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JAN 16 2004

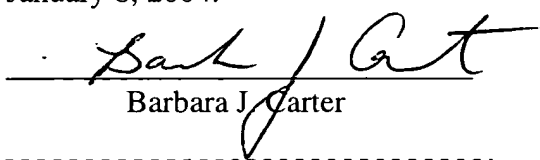
TECHNOLOGY CENTER R3700
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Kamen et al.	Art Unit:	3743
Appl. No:	09/703,532	Examiner:	Orland, Kathryn P.
Filing Date:	November 01, 2000	Docket No.:	1062/C39
Invention:	ENDARTERECTOMY SURGICAL INSTRUMENT		



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, Box 1450, Alexandria, VA, 22313-1450 on January 8, 2004.


Barbara J. Carter

Honorable Commissioner of Patents
P. O. Box 1450
Alexandria, VA 22313-1450

RESPONSE 

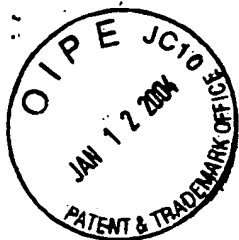
Dear Sir:

Applicants submit this paper in response to the Office Action of October, 8, 2003,
and ask that the following amendments be entered.

Amendments to the Claims begins on p. 2 of this paper.

Amendments to the Drawings begin on p. 5 of this paper.

Remarks/Arguments begin on p. 6 of this paper.



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~~PLEASE STAMP AND RETURN~~

The Commissioner for Patents has received from Bromberg & Sunstein LLP the following re:

Docket No: 1062/C39

Inventor: Kamen et al

Title: Endarterectomy Surgical Instrument

Art Unit:

Examiner:

Date: February 14, 2001

Serial/Patent No: 09/703,532

Filing/Issue Date: November 1, 2000

Express Mail No:

Documents:

- ☐ New Application Transmittal
☐ Provisional Application Cover Sheet
☐ Description - _____ pages
☐ Claims - _____ pages

☐ Abstract
☒ 1 sheets of drawings (Fig 9)

☒ formal ☐ informal
☒ (correction to same)
☐ Declaration & Power of Attorney
☐ executed ☐ unexecuted

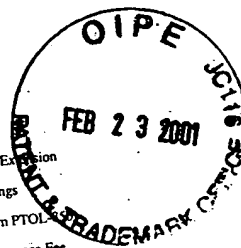
- ☐ Small Entity Statement
☐ Assignment/Recordation Form Cover Sheet
☐ Completion of Filing Requirements
☐ Request for Corrected Filing Receipt

- ☒ Amendment Transmittal
☒ Amendment (Preliminary)

- ☐ Response _____
☐ IDS & References _____
☐ Petition for _____ month Extension
☐ Transmittal of Formal Drawings

- ☐ Issue Fee Transmittal & Form PTOL
☐ Payment of _____ Maintenance Fee

☐ Check in the amount of \$ _____
☒ Letter to Master Draftsman



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BROMBERG & SUNSTEIN